

certification to the commission, and that certification whether by the utility, cooperative, or the commission, will become part of the commission's certification of the election results under 3 AAC 49.050(f).

(c) The utility subscriber or cooperative member is entitled to cast a secret ballot in an election conducted under AS 42.05.712. When the voter has completed marking the ballot, the marked ballot initially must be placed in a small envelope which the utility or cooperative is to provide. The only printing or text permitted on this small envelope may indicate that this is the envelope in which the marked ballot is to be placed before mailing it in the larger return-addressed envelope. The utility or cooperative also shall provide a larger envelope in which the small envelope containing the marked ballot must be enclosed. If two or more elections are being held at the same time, the commission will, in its discretion, require the utility or cooperative to use a larger envelope of a distinctive color other than white. The larger envelope must be addressed to the commission (at an address the commission designates) with pre-paid postage as prescribed in AS 42.05.712(d). The front of the larger envelope also must identify the utility or cooperative to which it applies. That identification must be printed in substantially the following form: The utility's or cooperative's name followed by the phrase, "Election Ballot (AS 42.05.712)." A voter's certificate, including spaces for the voter's signature, the voter's name (either printed or typewritten), the voter's account or membership number, the voter's mailing address, and the date of signing, must be printed on the reverse side of the envelope. If the subscriber or member is eligible to cast more than one ballot under 3 AAC 49.020(c), each ballot must be mailed in a separate small envelope and enclosed in a separate large envelope containing the voter's certificate as prescribed in this subsection. (Eff. 8/14/80, Register 75)

**Authority:** AS 42.05.151(a)  
AS 42.05.712

**3 AAC 49.050. BALLOT SECURITY, PROCESSING, TABULATION; CERTIFICATION OF RESULTS.** (a) When marked ballots arrive either at the office of the commission or its designated ballot counting agent, the entire envelope must remain intact. Only those ballots that are delivered by hand to the commission, or those that are received without a postmark or with a postmark that is obliterated or illegible will be time and date stamped. Ballots then will be placed in a secure, locked container, including but not limited to, for example, a locked file, safe, or cabinet, and may not be removed until all ballots are received and the processing and tabulation begins. All ballots and ballot-related material must be returned to that container when the ballots are not being processed or used in processing, until disposed of under 3 AAC 49.070.

(b) The commission will, in its discretion, wait for 10 days after the deadline for receipt of ballots before beginning the processing and counting of ballots to ensure that all ballots postmarked by the deadline prescribed in AS 42.05.712(c) have been received.

(c) The commission will appoint a team of counters from among its staff, and will designate one of the team as its chief. A team of at least three but not more than five counters will be so designated. If the number of ballots than one team of counters. At the commission's option, or at the utility's or cooperative's written request accompanied by its agreement to assume the costs, instead of appointing ballot counters from among its staff, the commission will, in its discretion, contract with the Division of Elections (Office of the Lieutenant Governor) or with an independent accounting firm to act as a ballot counting agent for the commission to count the ballots, tabulate the results, and report them to the commission for certification in accordance with AS 42.05.712(e) and 3 AAC 49.010 — 3 AAC 49.080.

(d) The commission will notify the affected utility or cooperative and other interested parties as to the time, date, and place of ballot counting. Ballot counting will take place only during the commission's or a ballot counting agent's normal business hours.

(e) The utility or cooperative, or a group of subscribers or members in support of or in opposition to the deregulation question, may appoint, at its own expense, one or more poll watchers to observe the ballot counting process. No utility, cooperative, or group of subscribers or members may have more than one watcher on duty at a time to observe each counting team. The watcher may be present at the place of counting in a position which affords a full view of all action of the counters from the time the ballots are removed from their secure location until the ballots are finally counted and the results certified by the commission. The commission will, in its discretion, require each watcher to present written proof that he or she is the watcher appointed by the utility, cooperative, or group of subscribers or members he or she represents. The commission will ensure that proper decorum is maintained during the counting process to assure the privileges of the watchers and the proper, orderly conduct of the election.

(f) The ballot counting team first shall tabulate the total number of ballots received before the votes for and against the question are counted. If less than 15 percent of the eligible subscribers or members have returned ballots to the commission, the votes for and against the question need not be counted. If at least 15 percent have been returned, the team shall examine each mailing or outer envelope and will determine whether the voter is qualified to vote and whether the ballot has been properly cast by comparing the subscriber's or member's name and account or membership number on the outer envelope with the certified list of subscribers or members supplied by the utility or the cooperative. When this verification procedure is completed, the

small envelope containing the ballot may be removed from the large mailing envelope in accordance with (i) of this section. The latter envelope must be retained until it is disposed of under 3 AAC 49.070.

(g) A ballot may not be counted if

(1) the voter has failed to properly execute the certificate containing his or her signature, printed or typed name, and account or membership number;

(2) the ballot, if postmarked, is not postmarked on or before the 30th day from the date of mailing or delivery of ballots to eligible voters; or

(3) the ballot is improperly marked under 3 AAC 49.040(a).

(h) If a ballot is rejected, the counters will place all rejected ballots in a separate envelope with a statement of the reason the ballot or ballots were rejected. The envelope must be labeled "rejected ballots" and must be retained until disposed of in accordance with 3 AAC 49.070.

(i) If a ballot is not rejected, the large envelope must be opened and the small envelope containing the ballot must be placed in a container and mixed with other small envelopes. The small envelopes must be drawn from the container, opened, and the ballots removed and counted.

(j) Upon completion of the ballot counting, the counting team or teams, or the ballot counting agent, will execute a certificate indicating the total number of ballots cast, the total number of ballots counted, the total number of ballots rejected either under (g) of this section or 3 AAC 49.040(a), and the total number of ballots cast for or against the ballot question. The commission will review the certified results, the tabulation, and the certification prepared by the counting team or teams or the counting agent, and issue its certification of the results, including certification that the procedural requirements set out in 3 AAC 49.010 — 3 AAC 49.060 have been adhered to or complied with. The commission will issue its certification by order or letter order. (Eff. 8/14/80, Register 75; am 1/7/81, Register 77)

**Authority:** AS 42.05.151(a)  
AS 42.05.712

**3 AAC 49.060. RECOUNT.** (a) Within 10 days after the commission's review and certification of the election results under AS 42.05.712(e), an interested party, a utility or cooperative, or 10 eligible subscribers or members who cast ballots in the election and who believe there has been a mistake made by the commission, by a counting team, or by a ballot counting agent in tabulating the votes in the election, may file an application for a recount of the votes on that ballot question.

(b) If there is a tie vote, the commission will initiate the recount and notify the interested parties of the time, date, and place of the recount.

(c) The date on which the commission receives an application for a recount, rather than the date of mailing or transmission of the application, determines whether the application is filed within the time allowed under (a) of this section. If the actual physical delivery by telegram of a copy in substance of the statements made in the application for recount is received in the commission's office before 4:30 p.m., Alaska Standard or Daylight Time, as the case may be, on the due date, the application will be accepted; however, the original signed application must be postmarked at or before midnight, Alaska Standard or Daylight Time, as the case may be, of the same day.

(d) An application for recount must include a deposit in cash, by certified check, or by bond with surety approved by the commission. The amount of the deposit is \$1 per ballot based on the original count of valid ballots cast on the question. However, if the recount includes a question for which there was a tie vote on the issue, or the difference between the number of votes cast in favor of or in opposition to the question was 10 or less, or was less than .5 percent of the total votes cast in favor of or in opposition to the issue, the application need not include a deposit, and the commission will bear the cost of the recount. If the vote on the recount is determined to be four percent or more in excess of the vote on the question reported by the commission on initial certification of the results as stated in the application, the entire deposit will be refunded. If the entire deposit is not refunded, the commission will refund any money remaining after the cost of the recount has been paid from the deposit.

(e) If the commission determines that the application for a recount is substantially in the required form, the commission will set the date of the recount. It will be held within 10 days after receipt of an application requesting a recount of the votes cast on the question.

(f) Utilities or cooperatives, or organized groups of subscribers or members, having a direct interest in the recount and who are seeking to protect their interests during a recount may provide at their own expense one or more observers to witness the recount.

(g) The commission will give the utility or cooperative, or any other interested party, or the one or more persons appointed to represent the applicant during the recount, notice of the time and place of the recount by certified mail, telegram, or telephone.

(h) In conducting the recount, the commission, or its appointed representative, will review all ballots, whether the ballots were counted by hand or by mechanical means, to determine which ballots were properly marked and which ballots are to be counted in the recount. The accuracy of the original count and the review of that count will be checked. The commission will check the number of ballots cast, the

ballots rejected or questioned, those damaged or erroneously marked against the certified list of eligible voters, and the total number of ballots distributed. The rules governing the counting of hand-marked and punchcard ballots will be followed in the recount. The ballots and other election material will remain in the custody of the commission during the recount, and the highest degree of care will be exercised to protect the ballots against alteration or mutilation. The recount will be completed within 10 days after the date it begins. The commission will, in its discretion, employ additional personnel or contract with a ballot counting agent as under 3 AAC 49.050(b) to assist in the recount.

(i) On completion of the recount the commission will certify the results by order or letter order.

(j) A utility, a cooperative, or an interested party who requested a recount and who has reason to believe an error has been made in the recount involving the question or the validity of any ballot may appeal to the superior court in accordance with AS 44.62.560 — 44.62.570 and applicable court rules governing appeals in civil matters. Appeal must be filed within 10 days after the completion of the recount and its certification. Upon order of the court, the commission will furnish the record of the recount taken, including all ballots, registers, and other election material pertaining to the election. The inquiry in the appeal will extend to the questions whether or not the commission has properly determined what ballots or marks on ballots are valid, and to which division of the question the vote should be attributed. (Eff. 8/14/80, Register 75)

Authority: AS 42.05.151(a)  
AS 42.05.712

**3 AAC 49.070. DISPOSITION OF BALLOTS, ELECTION MATERIALS.** The commission will preserve all election certificates, tallies, registers or lists, and election materials for four years after the election conducted under AS 42.05.712. All ballots and return-addressed envelopes will, in the commission's discretion, be destroyed 30 days after the certification of the election results unless an application for recount has been filed and not completed, or unless their destruction is stayed by court order. The commission will, in its discretion, permit the inspection of election materials upon order of a court of competent jurisdiction. (Eff. 8/14/80, Register 75)

Authority: AS 42.05.151(a)  
AS 42.05.712

**3 AAC 49.080. MISCELLANEOUS.** (a) The utility or cooperative shall provide the commission with a copy of each notice it mails to its subscribers or members under AS 42.05.712, and a copy of the list

of subscribers or members to whom it mails the notice. The utility or cooperative also shall provide the commission with a sample of the ballot it mails to its subscribers or members, of the small envelope in which the ballot is inserted, and the large, outer envelope (return-addressed to the commission) that contains the voter's certificate as prescribed in 3 AAC 49.040(c).

(b) If a deadline prescribed in AS 42.05.712 or in 3 AAC 49.010 — 3 AAC 49.080 falls on a Saturday, Sunday, or a legal holiday for Alaska state offices, the deadline will be the next regular business day of the commission.

(c) A utility or cooperative, or its officers, directors, management, or employees, or any person who, directly or indirectly, gives or offers to give, or offers any money or valuable thing (including but not limited to a refund, rebate, or remission in any manner or by any device of any rate or charge, or any portion of a rate or charge, or receipt of a greater or lesser compensation for a utility's or cooperative's services than is prescribed in its currently effective tariff), or extends, promises, or offers to extend to any utility subscriber or cooperative member any form of contract, agreement, inducement, privilege, or facility, or apply any rule or condition of service as an inducement to, or with the intent to induce, a subscriber or member to participate in an election conducted under AS 42.05.712 or to vote for or against, or refrain from voting for or against, any election question under AS 42.05.712, has engaged in a discriminatory practice under AS 42.05.391(a) or (c), or both, and is subject to the imposition of civil sanctions under AS 42.05.571. (Eff. 8/14/80, Register 75)

Authority: AS 01.10.080  
AS 42.05.151(a)

AS 42.05.391  
AS 42.05.712

**3 AAC 49.090. WAIVER.** (a) By order of the commission, upon application in writing and a showing of good cause, any requirement of 3 AAC 49.010 — 3 AAC 49.080 will, in the commission's discretion, be waived in whole or in part, except the ballot marking and counting rules contained in 3 AAC 49.040(a).

(b) Applications submitted under this section shall set out the pertinent facts in sufficient detail to support a finding by the commission that no legitimate public interest will be served by enforcing the requirement designated in the application. An application as required by this section may be made to the commission by motion or petition.

(c) Application for the waiver of a requirement must also include application under AS 42.05.711(d) for exemption from a related provision of AS 42.05 if waiver of the requirement of 3 AAC 49.010 — 3 AAC 49.080 cannot be granted without also exempting the applicant from the governing law. (Eff. 8/14/80, Register 75)

Authority: AS 42.05.151(a)  
AS 42.05.712

**3 AAC 49.100. DEFINITIONS.** In 3 AAC 49.010 — 3 AAC 49.100

(1) "ballot" means a ballot issued to a utility subscriber or cooperative member in an election conducted under AS 42.05.712 and 3 AAC 49.010 — 3 AAC 49.100;

(2) "commission" means the Alaska Public Utilities Commission;

(3) "cooperative" means an electric or telephone cooperative organized under AS 10.25, subject to the commission's regulatory jurisdiction under AS 42.05, which is authorized to conduct a deregulation ballot election under AS 42.05.711(h) and 42.05.712;

(4) "election" means an election conducted under AS 42.05.712 and 3 AAC 49.010 — 3 AAC 49.100;

(5) "question" means the question whether a utility or cooperative is to be exempt from regulation by the Alaska Public Utilities Commission, as prescribed in AS 42.05.712(d);

(6) "utility" means a public utility subject to the commission's regulatory jurisdiction under AS 42.05 which is authorized to conduct a deregulation ballot election under AS 42.05.711(f) and (g) and 42.05.712. (Eff. 8/14/80, Register 75)

Authority: AS 42.05.151(a)  
AS 42.05.712

## CHAPTER 50. ENERGY CONSERVATION

### Article

1. Regulatory Policy Standards (3 AAC 50.100 — 3 AAC 50.600)
2. Cogeneration and Small Power Production (3 AAC 50.750—3 AAC 50.820)

### Article 1. Regulatory Policy Standards

#### Section

100. Application, purpose, and waiver
200. Individual electric meters
300. Information to electric consumers

#### Section

400. (Reserved)
500. Advertising
600. Definitions

### 3 AAC 50.100. APPLICATION, PURPOSE, AND WAIVER.

(a) The provisions of 3 AAC 50.200, 3 AAC 50.300, and 3 AAC 50.500 apply to electric utilities subject to the regulatory jurisdiction of the commission. The provisions of 3 AAC 50.500 apply to gas utilities subject to the regulatory jurisdiction of the commission. The purpose of 3 AAC 50.200 — 3 AAC 50.500 is to adopt the regulatory policy standards established in secs. 113(b) and 303(b) of the Public Utility Regulatory Policies Act of 1978 (16 USC § 2623(b) and 15 USC § 3203(b), as adopted November 9, 1978) and to extend these stan-

dards to the other electric and gas utilities in Alaska not directly subject to that Act. These regulations encourage

- (1) conservation of energy supplied by electric and gas utilities;
- (2) the optimization of the efficiency of use of facilities and resources by electric and gas utilities; and

- (3) the establishment of equitable rates to electric and gas consumers.

(b) For good cause shown, the commission will, in its discretion, waive the application to a utility of all or part of 3 AAC 50.200 — 3 AAC 50.600 or will, in its discretion, establish interim standards for a utility. (Eff. 10/15/82, Register 84)

**Authority:** AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.711(d)

**3 AAC 50.200. INDIVIDUAL ELECTRIC METERS.** (a) Except as provided in (b) of this section, an electric utility shall install an individual meter to measure the energy consumption attributable to each residential and commercial unit in a multiple-occupancy building and each mobile home unit in a mobile home park if construction of the building or mobile home park was begun after December 31, 1982.

(b) Individual meters are not required

- (1) for transient multiple-occupancy buildings and transient mobile home parks, including, but not limited to, hotels, motels, dormitories, rooming houses, hospitals, nursing homes, and mobile home parks for travel trailers;

- (2) for commercial unit space which is subject to alteration with changes in tenants as evidenced by temporary construction of nonload-bearing walls or floors separating the commercial unit spaces;

- (3) where alternative renewable energy resources are used in connection with central heating, ventilating, and air conditioning systems; and

- (4) in common building areas such as hallways, elevators, reception areas, water pumping facilities, and electric hookups for motor vehicles.

(c) For the purpose of this section, construction begins when the footings are poured. (Eff. 10/15/82, Register 84)

**Authority:** AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.291(c)

**3 AAC 50.300. INFORMATION TO ELECTRIC CONSUMERS.** (a) An electric utility shall provide to each new electric



consumer, coincident with the application for service, a clear and concise explanation of any rate schedule in its currently effective tariff which applies to that consumer.

(b) Not later than 30 days after the filing of a tariff advice letter in which a change in a rate schedule is requested, an electric utility shall transmit to its affected consumers a clear and concise explanation of the proposed change. This provision does not apply to rate adjustments resulting from an automatic fuel-cost rate adjustment clause.

(c) At least once each year an electric utility shall transmit to each of its electric consumers an informative summary of any rate schedule in its currently effective tariff which applies to those consumers.

(d) On request of an electric consumer, an electric utility shall transmit a clear and concise statement of the consumer's actual energy consumption and, if billed separately, power consumption for any billing period during the previous 12 months unless the information is not reasonably ascertainable by the utility. (Eff. 10/15/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.411(a)

### 3 AAC 50.400. Reserved

**3 AAC 50.500. ADVERTISING.** (a) In addition to the restrictions imposed under AS 2.05.381(a), neither an electric utility nor a gas utility may recover through rates any direct or indirect expenditure by the utility for promotional, political, or goodwill advertising.

(b) The commission will determine on a case-by-case basis whether the forms of advertising listed in (c)(3) of this section, as well as advertising not readily categorized as promotional, political, or goodwill, and any other form of advertising not covered by this section will be included in utility operating expenses for ratemaking purposes.

(c) In this section

(1) "advertising" means the commercial use by a utility of any media, including newspaper, printed matter, radio, and television, in order to transmit a message to a substantial number of members of the public or to the utility's customers;

(2) "goodwill advertising" means advertising directed toward improving or enhancing the public image of a utility or its employees;

(3) "goodwill advertising," "political advertising," and "promotional advertising" do not include

(A) advertising which informs an electric or gas consumer about methods which conserve electric energy or gas or which reduce peak demand for electric energy or gas;

(B) advertising required by law or regulation, including advertising required under Part I, Title II of the National Energy Conservation Policy Act (42 USC § 8201 et seq.);

(C) advertising regarding service interruptions, safety measures, or emergency conditions;

(D) advertising concerning employment opportunities with a utility;

(E) advertising which promotes the use of energy-efficient appliances, equipment, or services;

(F) an explanation or justification of existing or proposed rate schedules or a notice of hearings concerning these rate schedules; and

(G) communications with members of a utility cooperative about the activities or internal affairs of the cooperative or which encourage or promote the participation of the members in the process of governing the cooperative;

(4) "political advertising" means advertising for the purpose of influencing public opinion with respect to legislative, administrative, or electoral matters, or with respect to a controversial issue of public importance; and

(5) "promotional advertising" means advertising for the purpose of encouraging a person to select or use the service or additional service of a utility, or the selection or installation of an appliance or equipment designed to use the utility's service, except as provided in (3)(E) of this subsection. (Eff. 10/15/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.381

**3 AAC 50.600. DEFINITIONS.** Unless the context indicates otherwise, in 3 AAC 50.100 — 3 AAC 50.600

(1) "building" means a single erected structure, roofed and enclosed within exterior walls, built for permanent use, framed of component structural parts and unified in its entirety both physically and in operation for residential or commercial occupancy;

(2) "commercial unit" means that portion of a building or premises which is normally used for commercial purposes;

(3) "electric consumer" means a person or a public or private entity to which electric energy is sold, other than for purposes of resale, by a regulated public utility;

(4) "gas consumer" means a person or a public or private entity to which natural gas is sold, other than for purposes of resale by a public utility;

(5) "mobile home park" means a parcel of land which is used for the accommodation of occupied mobile homes;

(6) "multiple-occupancy building" means a building which is designed to house more than one residential or commercial unit;

(7) "rate" means

(A) a price, rate, charge, or classification made, demanded, observed, or received with respect to the sale of utility services to a utility consumer;

(B) a rule, regulation, condition, or practice respecting a rate, charge, or classification; and

(C) a contract pertaining to the sale of utility services to a utility consumer;

(8) "rate schedule" means the designation of the rates which an electric utility charges for electric energy; and

(9) "residential unit" means one or more rooms for use by one or more persons as a housekeeping unit which provides living, sleeping, cooking and sanitation accommodations. (Eff. 10/15/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)

AS 42.05.291(c)  
AS 42.05.411(a)

## Article 2. Cogeneration and Small Power Production

### Section

750. Application, purpose, and waiver  
760. Interconnection  
770. Purchases  
780. Sales

### Section

790. Implementation  
800. Disconnection  
810. Disputes  
820. Definitions

### 3 AAC 50.750. APPLICATION, PURPOSE, AND WAIVER.

(a) 3 AAC 50.750 — 3 AAC 50.820 apply to all electric utilities subject to the regulatory jurisdiction of the commission under AS 42.05.361 — 42.05.441. These sections govern interconnection and purchases and sales of electric power between an electric utility and a qualifying facility.

(b) The purpose of 3 AAC 50.750 — 3 AAC 50.820 is to encourage cogeneration and small power production by setting out guidelines for the establishment of reasonable, nondiscriminatory charges, rates, terms, and conditions under which interconnection and purchases and sales of electric power will occur between an electric utility and a qualifying facility.

(c) Any requirement in 3 AAC 50.750 — 3 AAC 50.820 may be waived, in whole or in part, or be modified by order of the commission upon application and a showing of good cause. Applications submitted under this section must comply with the procedures set out in 3 AAC 48.210(b) and (c). (Eff. 11/20/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.711(d)

**3 AAC 50.760. INTERCONNECTION.** (a) An electric utility shall make interconnection with a qualifying facility as may be neces-

sary to accomplish purchases or sales under 3 AAC 50.750 — 3 AAC 50.820.

(b) Notwithstanding (a) of this section, an electric utility is not required to interconnect with a qualifying facility if

(1) the electric utility, solely because of purchases and sales over the interconnection, would become subject to federal regulation under Subchapter II of the Federal Power Act, 16 USC § 824; or

(2) a qualifying facility does not comply with the safety and reliability standards prescribed for interconnection by the commission.

(c) An electric utility may assess a qualifying facility interconnection charges which are reasonable and nondiscriminatory with respect to other customers that have similar load characteristics.

(d) Interconnection charges may include the reasonable costs of connection, switching, metering, transmission, distribution, safety provisions, administration, and other costs incurred by the electric utility directly related to the installation and maintenance of the physical facilities necessary to permit interconnected operations with a qualifying facility, to the extent these costs are in excess of the corresponding costs which the electric utility would have incurred if it had not engaged in interconnected operations, but instead generated an equivalent amount of electric power from other sources. Interconnection costs do not include any costs included in the calculation of avoided costs.

(e) An electric utility shall offer a qualifying facility the option of reimbursing the electric utility for interconnection charges over a reasonable period of time. The electric utility may charge reasonable interest, to be prescribed in its tariff or special contract, for the financing of the interconnection costs.

(f) If a dispute arises under 3 AAC 50.810, an electric utility shall submit to the commission the information necessary to support the methodology and calculations used in developing the charges assessed to a qualifying facility for interconnection.

(g) An electric utility shall offer to operate in parallel with a qualifying facility.

(h) An electric utility shall offer a qualifying facility that has a generating capacity of 10 kilowatts or less the option of using a single detent meter during parallel operation. (Eff. 11/20/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)  
AS 42.05.291(b)

AS 42.05.301  
AS 42.05.361(a)  
AS 42.05.381(a)

**3 AAC 50.770. PURCHASES.** (a) An electric utility shall purchase, in accordance with (c) — (f) of this section, any electric power which is made available from a qualifying facility.

(b) Notwithstanding (a) of this section, an electric utility is not required to purchase electric power from a qualifying facility if

(1) due to operational circumstances, purchases from a qualifying facility result in costs greater than those which the electric utility would have incurred if it had not made such purchases but had instead generated or purchased an equivalent amount of power; if purchases have started, an electric utility seeking to stop purchase under this paragraph shall notify in writing each affected qualifying facility in time for the qualifying facility to stop the delivery of electric power to the electric utility, or the electric utility shall pay the expense it would have incurred had power continued to be purchased from the qualifying facility at established rates during the same period;

(2) during a system emergency, purchases from a qualifying facility would further contribute to the emergency; or

(3) with the agreement of the qualifying facility, the electric utility transmits the electric power to another electric utility which is obligated to purchase that electric power as if it were supplied directly by the qualifying facility.

(c) Rates for purchases of electric power must be just and reasonable and must not discriminate against qualifying facilities or adversely affect the consumers of the electric utility.

(d) For purchases from a qualifying facility which supplies non-firm power, rates must be based on the cost of energy which the electric utility avoids by virtue of its interconnection with the qualifying facility. Rates under this subsection must comply with the following requirements:

(1) Unless otherwise modified by the commission, avoided energy costs, expressed in cents per kilowatt-hour, must be determined from the sum of fuel and variable operation and maintenance expenses and the energy portion of purchased-power expense for a 12-month period, approved by the commission, updated by subsequent fuel costs, and divided by the number of kilowatt-hours sold for the same time period. Expenses and kilowatt-hours sold associated with hydroelectric generation must be specifically excluded from the computation of avoided costs for an electric utility which relies on hydroelectric generation for 25 percent or more of its total power requirements.

(2) An electric utility shall submit to the commission the following information for the calendar or fiscal year preceding the date of filing, or a more recent 12-month period, to support rates for purchases of non-firm power:

(A) the data and computation of avoided energy costs specified in (d)(1) of this section; and

(B) at its option, the data and computation of avoided energy costs based on any other methodology deemed appropriate and justifiable by the electric utility.

(3) Rates for purchases of non-firm power must be adjusted contemporaneously with fuel-cost rate adjustments and with changes in avoided energy costs in general rate revisions.

(e) For purchases from a qualifying facility which supplies firm power, rates must be based on the costs of energy and capacity which the electric utility avoids by virtue of its interconnection with the qualifying facility. Rates under this subsection must comply with the following requirements:

(1) In determining avoided energy and capacity costs, to the extent practicable, the following factors must be taken into account:

(A) the estimated avoided energy costs stated on a cents per kilowatt-hour basis for the current calendar or fiscal year and each of the next five years;

(B) the electric utility's plan for the addition of capacity by amount and type, for purchases of firm energy and capacity, and for requirements for each year during the next 10 years;

(C) the estimated capacity costs at completion of the planned-capacity additions and planned capacity firm purchases, on the basis of dollars per kilowatt and the associated energy costs of each unit, on the basis of cents per kilowatt-hour; these costs must be expressed in terms of individual generating units and of individual planned firm purchases;

(D) the availability of capacity or energy from a qualifying facility during system daily and seasonal peak periods;

(E) the ability of the electric utility to avoid costs due to the availability of energy or capacity from the qualifying facility; and

(F) the costs or savings resulting from variations in line losses due solely to purchases from qualifying facilities.

(2) An electric utility shall submit to the commission the information necessary to support the methodology and calculations used in developing rates for purchase of firm power based on avoided energy and capacity costs.

(f) Rates for purchases from a qualifying facility, the construction of which was commenced on or after November 9, 1978, must be set at an electric utility's full avoided costs as determined under (d) or (e) of this section. Rates for purchases from a qualifying facility, the construction of which was commenced before November 9, 1978, may be set at less than full avoided costs, provided that the lower purchase rates are established in accordance with (c) of this section.

(g) An electric utility which is legally obligated to obtain all of its requirements for electric power from another electric utility shall submit to the commission the requisite avoided cost data of its supplying utility and the rates at which it currently purchases such energy and

capacity. The supplying electric utility shall make the necessary information available to the purchasing electric utility at the time its wholesale power rates are approved by the commission.

(h) An electric utility or qualifying facility may agree by special contract, subject to 3 AAC 48.390, to different rates, terms, or conditions for purchases than otherwise required by this section. A contract between an electric utility and a qualifying facility is valid if the commission determines the rates, terms, or conditions for purchases are just and reasonable to the customers of the electric utility and in the public interest. The contract may not be nullified under 3 AAC 50.770(b)(1) without prior commission approval. (Eff. 11/20/82, Register 84)

Authority: AS 42.05.141(a)      AS 42.05.361(a)  
AS 42.05.151(a)      AS 42.05.391(a)  
AS 42.05.291(c)

**3 AAC 50.780. SALES.** (a) An electric utility shall provide service to a qualifying facility including, but not limited to, supplementary power, back-up power, maintenance power, and interruptible power.

(b) Notwithstanding (a) of this section, an electric utility is not obligated to provide supplementary power, back-up power, maintenance power, and interruptible power to a qualifying facility upon a showing to and determination by the commission, after reasonable notice and an opportunity for public comment, that compliance with that requirement will either impair the electric utility's ability to give adequate service to its customers or impose an undue burden on the electric utility.

(c) Rates for sales must be just and reasonable and in the public interest and must not discriminate against the other consumers of the utility or against a qualifying facility in comparison to rates for sales to other customers of the electric utility with similar load or other cost-related characteristics.

(d) An electric utility shall submit to the commission the information necessary to support the methodology and calculations used in developing rates for sales of electric power to a qualifying facility in conformance with applicable commission regulations.

(e) Rates for sales of back-up power and maintenance power

(1) must not be based upon an assumption that forced outages or other reductions in electric output by all qualifying facilities on an electric utility's system will occur simultaneously, or during the system peak, or both, unless the assumption is supported by factual data; and

(2) must take into account the extent to which scheduled outages of the qualifying facilities can be usefully coordinated with the scheduled outages of the electric utility's facilities.

(f) During any system emergency, an electric utility may discontinue sales to a qualifying facility, provided that the discontinuance is on a nondiscriminatory basis. (Eff. 11/20/82, Register 84)

**Authority:** AS 42.05.141(a)      AS 42.05.361(a)  
AS 42.05.151(a)      AS 42.05.381(a)  
AS 42.05.291(c)      AS 42.05.391(a)  
AS 42.05.301

**3 AAC 50.790. IMPLEMENTATION.** (a) The effective tariff of an electric utility must delineate and authorize interconnection and purchases and sales of electric power between an electric utility and a qualifying facility including, but not limited to, provisions for

(1) the charges, terms, and conditions for interconnection to a qualifying facility, including the method and timing of payment of interconnection charges by a qualifying facility;

(2) the rates, terms, and conditions for purchases of firm and non-firm power from a qualifying facility; and

(3) the rates, terms, and conditions for sales of power to a qualifying facility.

(b) Not later than 60 days after receipt of a written request for interconnection from a qualifying facility, an electric utility shall file with the commission for its consideration a tariff for interconnection, purchases, and sales with the requesting qualifying facility in accordance with applicable provisions of AS 42.05.361 — 42.05.441, 3 AAC 48.200 — 3 AAC 48.390, and 3 AAC 50.750 — 3 AAC 50.820.

(c) Notwithstanding (a) and (b) of this section, an electric utility may enter into a special contract with a qualifying facility specifying the charges, rates, terms, and conditions of interconnection, purchases, and sales between an electric utility and a qualifying facility, provided use of a special contract otherwise conforms to applicable commission regulations.

(d) Not later than 60 days after the effective date of 3 AAC 50.750 — 3 AAC 50.820, each electric utility shall compile and maintain for public inspection upon request the current data and information specified in 3 AAC 50.770(d)(1) and (e)(1)(A) — (C), and a schedule setting forth all current tariff and special contract purchase rates with qualifying facilities.

(e) By January 14, 1983, each electric utility shall submit to the commission for inclusion in its tariff, standard rates for the purchase of non-firm electric power from qualifying facilities with a design capacity of 100 kilowatts or less. These purchase rates must be based on the utility's avoided costs as determined under 3 AAC 50.770(d). (Eff. 11/20/82, Register 84)

**Authority:** AS 42.05.141(a)      AS 42.05.291  
AS 42.05.151(a)      AS 42.05.361



**3 AAC 50.800. DISCONNECTION.** (a) An electric utility has the right to disconnect a qualifying facility without notice if a hazardous condition exists in the equipment of the qualifying facility and immediate action is necessary to protect persons, utility facilities, or other customers' facilities from damage or interference imminently likely to result from the hazardous condition.

(b) Not later than 10 days after disconnection under (a) of this section, the electric utility shall notify the qualifying facility in writing of the reasons for the disconnection. (Eff. 11/20/82, Register 84)

**Authority:** AS 42.05.141(a)      AS 42.05.291(a)  
AS 42.05.151(a)      AS 42.05.301

**3 AAC 50.810. DISPUTES.** Disputes regarding implementation of 3 AAC 50.750 — 3 AAC 50.820 must be filed with the commission for consideration under the complaints procedures prescribed in 3 AAC 48.120 — 3 AAC 48.130. (Eff. 11/20/82, Register 84)

**Authority:** AS 42.05.141(a)  
AS 42.05.151(a)

**3 AAC 50.820. DEFINITIONS.** Unless the context indicates otherwise, in 3 AAC 50.750 — 3 AAC 50.820

(1) "avoided costs" means the costs to an electric utility of electric energy or capacity or both, which, but for the purchase from the qualifying facility or qualifying facilities, the utility would generate or purchase from another source;

(2) "back-up power" means electric power supplied by an electric utility during an unscheduled power outage of a facility to replace energy ordinarily generated by the facility's own generation equipment;

(3) "cogeneration" means the production of electric energy and forms of useful thermal energy (such as heat or steam), employed for industrial, commercial, heating, or cooling purposes, through the sequential use of energy;

(4) "detent meter" means a watt-hour meter which can turn in only a forward direction and which is used to measure the number of kilowatt-hours sold to a qualifying facility by an electric utility;

(5) "electric power" means electric energy or capacity, or both;

(6) "firm power" means electric power generated by the qualifying facility, individually or in conjunction with another qualifying facility or facilities, which is supplied to the electric utility in predetermined and reliable quantities at specific times and intervals, and which will enable the electric utility to reduce, defer, or eliminate planned generating units or purchases of capacity;

(7) "interruptible power" means electric power supplied by an electric utility subject to interruption by the electric utility under specified conditions;

(8) "maintenance power" means electric power supplied by an electric utility during scheduled power outages of the qualifying facility;

(9) "non-firm power" means the electric power generated by the qualifying facility which is supplied to the electric utility in unpredictable quantities and at unscheduled times and intervals, and which will enable the electric utility to avoid energy-related costs;

(10) "parallel operation" means a method of interconnection which enables a qualifying facility to generate electric power to meet its electrical consumption needs first and to automatically transmit any surplus electric power to the electric utility, and which also enables the qualifying facility to automatically purchase power from the electric utility if the qualifying facility cannot generate enough power to meet its electrical demands;

(11) "qualifying facility" means a cogeneration facility or a small power production facility which meets the criteria prescribed by Part 292, Subpart B of the Federal Energy Regulatory Commission Regulations, 18 CFR Part 292, as effective June 30, 1982, including size, fuel use, ownership, and efficiency standards;

(12) "supplementary power" means electric energy or capacity supplied by an electric utility, regularly used by a qualifying facility in addition to that which the facility generates itself;

(13) "system emergency" means a condition on a utility's system which is likely to result in imminent significant disruption of service to customers or is imminently likely to endanger life or property. (Eff. 11/20/82, Register 84)

Authority: AS 42.05.141(a)  
AS 42.05.151(a)

Editor's notes. — A copy of 18 CFR the offices of the Alaska Public Utilities  
Part 292, Subpart B, mentioned in 3 AAC Commission, 420 "L" Street, Suite 100,  
50.820(11) is available for inspection at Anchorage, Alaska 99501.

## CHAPTER 52. OPERATION OF PUBLIC UTILITIES

### Article

1. Gas Utilities (3 AAC 52.010 — 3 AAC 52.080)
2. Allocation of Facilities and Services Between Competing Electric Utilities (3 AAC 52.110 — 3 AAC 52.150)
3. Telephone Utilities (3 AAC 52.200 — 3 AAC 52.340)
4. Electric Utilities (3 AAC 52.400 — 3 AAC 52.500)
5. Cable Television Joint Use of Electric and Telephone Utility Facilities (3 AAC 52.900 — 3 AAC 52.940)

(b) Each utility shall file with the commission a plan for inspection and maintenance of each pipeline facility owned or operated by the utility, and any changes in the plan. If the commission finds that the plan is inadequate to achieve safe operation, the commission shall, after notice and opportunity for a hearing, require the plan to be revised. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44)

Authority: AS 42.05.141  
AS 42.05.461  
AS 42.05.501

**3 AAC 52.040. PIPELINE LOCATING SERVICE.** Each utility shall offer "line locating" service to any individual or utility requiring such service. The utility shall make a reasonable effort to assure that the availability of this service is made known throughout its area of operation. If a charge is made for this service, it shall be based on the cost to the utility of the personnel required to operate the equipment and shall not afford the utility any allowance for the utilization of equipment. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44)

Authority: AS 42.05.291

**3 AAC 52.050. DISTRIBUTION PIPELINE MAINTENANCE.**  
Repealed 1/13/73.

**3 AAC 52.060. RECORD OF NONSCHEDULED INTERRUPTIONS.** Each gas utility shall keep a record of each nonscheduled interruption to service, showing the location, date, time, duration and cause of each interruption. This record shall be retained by the utility for three years and may be inspected by any person after meeting the requirement of AS 42.05.440. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44)

Authority: AS 42.05.141

**3 AAC 52.070. ACCIDENTS OR INCIDENTS.** (a) Each utility shall cooperate with the commission to promote a reduction in hazard within the industry and to the public.

(b) Each utility shall report each accident immediately by the most expeditious means available, preferably by telephone or in person, to the commission at the commission's office in Anchorage, Alaska, or to a person designated by the commission. The notification shall include the location and time of the accident, a brief description of what occurred, and names of the individual(s) in charge of the repair operation and the individual(s) to be contacted by the commission for additional information.

(c) A written report of each accident shall be filed with the commission within 20 days after each accident. The report shall be made on the commission's "Gas Distribution Pipeline Accident or Incident Report" form or the United States Department of Transportation's Form DOT-F-7100.2 for transmission and gathering systems. If the accident investigation is not completed within the 20-day period, the utility shall file an additional written report with the commission upon the completion of the investigation and a written report of the progress of the investigation every 90 days until the investigation is complete. (Eff. 2/21/69, Register 30; am 1/13/73 Register 44)

Authority: AS 42.05.141  
AS 42.05.291

**3 AAC 52.080. DEFINITIONS.** Unless the context indicates otherwise, in 3 AAC 52.010 — 3 AAC 52.070

(1) "accident" means an accident or incident occurring in the state involving escape of gas from gas gathering, transmission or distribution facilities resulting in personal injury requiring hospitalization, fatality, or property damage exceeding \$1,000;

(2) "commission" means the Alaska Public Utilities Commission;

(3) "Minimum Federal Safety Standards for Gas Lines" or "standards" means the Minimum Federal Safety Standards for Transportation of Natural Gas and other gas by pipeline, 49 C.F.R. Part 192, revised as of January 1, 1972. A copy of these standards may be obtained from or reviewed at the commission office located in Anchorage, Alaska; and

(4) "utility" means a public utility that owns, operates, manages or controls a plant or system of facilities used for the transmission or distribution of natural or manufactured gas or other inflammable gas, to the extent such system plant or facilities are included in the term "public utility" as defined by AS 42.05.701. (Eff. 2/21/69, Register 30; am 1/13/73, Register 44)

Authority: AS 42.05.141  
AS 42.05.291  
AS 42.05.701

## **Article 2. Allocation of Facilities and Services Between Competing Electric Utilities**

### **Section**

110. Purpose

120. Authority to construct facilities or  
serve customers

### **Section**

130. Hearing

140. Appeals

150. Definitions

**3 AAC 52.110. PURPOSE.** The purpose of 3 AAC 52.110 — 3 AAC 52.150 is to prevent duplication of electric facilities and services in those geographical areas of the state in which two or more electric utilities compete. (Eff. 8/11/76, Register 59; am 6/29/84, Register 90)

**Authority:** AS 42.05.141  
AS 42.05.151  
AS 42.05.221

**3 AAC 52.120. AUTHORITY TO CONSTRUCT FACILITIES OR SERVE CUSTOMERS.** (a) No electric utility operating in direct competition with one or more electric utilities within the same geographical area may construct or install electric facilities or provide a service connection for a customer located within a disputed service area without the approval of the commission.

(b) The commission will grant approval to provide a service connection for a customer located within a disputed area if

(1) the utility requesting approval receives the concurrence of the competing utility and submits to the commission a signed "Waiver of Objection" on a form provided by the commission; or

(2) a determination is made by the commission, after hearing, that one or the other of the utilities is the appropriate one to provide the service. (Eff. 8/11/76, Register 59)

**Authority:** AS 42.05.151(a)  
AS 42.05.221(d)

**3 AAC 52.130. HEARING.** (a) If an applicant utility is unable to obtain concurrence from a competing utility, the commission will appoint a member of its staff as an examiner to conduct a hearing.

(b) The staff examiner shall

(1) notice the hearing for a time convenient to all interested parties;

(2) hear all relevant evidence;

(3) record the testimony presented;

(4) within 24 hours after the close of the hearing, issue a decision as to which utility is the most appropriate one to serve the customers;

(5) stay the decision if, within 24 hours after the decision is announced, a party appeals the decision.

(c) The criteria to be weighed by the staff examiner in making a decision include

(1) the cost to the utility to provide the service connection;

(2) the cost to be assessed to the customer by the applicant utility;

(3) the proximity of the service connection point to each of the competing utilities' electric distribution facilities; and

(4) the geographical proximity of the service connection to the area generally served by each competing utility. (Eff. 8/11/76, Register 59; am 6/29/84, Register 90)

Authority: AS 42.05.141  
AS 42.05.151  
AS 42.05.221

**3 AAC 52.140. APPEALS.** (a) Each party to a hearing conducted under 3 AAC 52.130 may appeal the staff examiner's decision to the commission within 24 hours after that decision is issued.

(b) Pending appeal, neither party may provide service to the applicant customer.

(c) All appeals will be heard within three business days of filing, the commission's docket schedule permitting.

(d) The scope of a public hearing held under (a) of this section in response to an appeal of a staff examiner's decision is limited to

(1) review and consideration of the evidence and argument presented at the hearing conducted under 3 AAC 52.130;

(2) affirming, reversing, or modifying the decision issued by the staff examiner. (Eff. 8/11/76, Register 59; am 6/29/84, Register 90)

Authority: AS 42.05.141  
AS 42.05.151  
AS 42.05.221

**3 AAC 52.150. DEFINITIONS.** Unless the context indicates otherwise, in 3 AAC 52.110 — 3 AAC 52.150

(1) "commission" means the Alaska Public Utilities Commission;

(2) "electric utility" means a public utility or utility as defined in AS 42.05.720(4)(A);

(3) "disputed service area," unless otherwise defined by the commission by order, means that territory or part of that territory where two competing electric utilities have proximate electric distribution facilities and that is being served, or attempting to be served, simultaneously by the two competing electric utilities. (Eff. 8/11/76, Register 59; am 6/29/84, Register 90)

Authority: AS 42.05.141  
AS 42.05.151  
AS 42.05.221

### Article 3. Telephone Utilities

#### Section

200. Application, purposes, and policies  
210. Business office  
220. Held applications  
230. Subscriber billing

#### Section

240. Public pay telephone service  
250. Directories  
260. Engineering and maintenance  
270. Service interruptions

**Section**

280. Customer reports  
 290. Installation service  
 300. Operator handled calls  
 310. Switching design standards

**Section**

320. Information to be furnished  
 330. Capital program and planning statement  
 340. Definitions

**3 AAC 52.200. APPLICATION, PURPOSES, AND POLICIES.** (a) 3 AAC 52.200 — 3 AAC 52.340 apply to all telephone utilities subject to the regulatory jurisdiction of the commission. These sections govern the furnishing of telecommunications services and facilities to the public. The purpose of 3 AAC 52.200 — 3 AAC 52.340 is to establish service standards to ensure that reasonably continuous, uninterrupted, and prompt service will be rendered to the public.

(b) The standards in 3 AAC 52.200 — 3 AAC 52.340 do not create a private right of action on behalf of any utility subscriber. However, nothing in 3 AAC 52.200 — 3 AAC 52.340 relieves a utility from any of its duties under AS 42.05, or any other laws of the state, or from any other regulations, orders, or directives of the commission, nor does it preclude the commission from imposing sanctions or levying penalties under AS 42.05.561 — 42.05.611 or taking any other action authorized under AS 42.05, with respect to utility services and facilities.

(c) For good cause shown, the commission will, in its discretion, waive all or any portion of these standards as applicable to any individual utility or may establish interim standards.

(d) The procedures and practices prescribed in 3 AAC 52.200 — 3 AAC 52.340 are to be followed and implemented in good faith by the utility and require related prudent management in an effort to maintain the proper balance between economic effectiveness and an acceptable quality of service.

(e) Where appropriate, the standards define surveillance levels. Failure to provide service better than the levels defined generally indicates a need for investigation or corrective action on the part of the utility.

(f) The staff of the commission will monitor all telephone utilities' compliance with 3 AAC 52.200 — 3 AAC 52.340 and will take investigative action where it considers that action appropriate. (Eff. 1/5/79, Register 69; am 6/29/84, Register 90)

**Authority:** AS 42.05.141  
 AS 42.05.151  
 AS 42.05.291

AS 42.05.331  
 AS 42.05.511

**3 AAC 52.210. BUSINESS OFFICE.** (a) Utility business offices generally must be so located and staffed that customers and others have convenient access to qualified personnel, including supervisory personnel where warranted, to provide information relating to services and rates, to accept and process applications for service, to explain charges on customer's bills, to adjust charges made in error, and

generally to act as the representative of the utility. Where alternate service which may meet a customer's requirements is available from the utility, the utility shall make a reasonable effort to advise the customer of the most economic service available and to assist the customer in making his choice of service.

(b) The utility shall notify the customer of any service connection or installation charge to be applied to his bill before undertaking any action so chargeable, and shall inform the customer of the estimated initial bill for local service and all other applicable charges. Before performing the work, the utility shall provide the customer with an estimate of the charges to be levied for extraordinary construction, maintenance, replacement costs, expenses, or overtime work unless these charges are specifically set out in the utility's tariff or unless the customer specifically requests billing on a "keep cost order" basis. No costs exceeding that estimate may be charged the customer without advance written customer approval. Costs below the estimate must be reflected in reduced charges or refunds to the customer.

(c) The utility shall notify its customers and the public of all reasonably available means of contacting its business offices. The utility shall provide toll-free calling from each community that it serves to its business office whenever the business office is located outside of those communities.

(d) Telephone utilities shall make all reasonable efforts to acknowledge, and where appropriate to answer, all correspondence within 10 working days or as soon as reasonably possible thereafter. The utility shall maintain records of the contact. (Eff. 1/5/79, Register 69; am 6/29/84, Register 90)

Authority: AS 42.05.141  
AS 42.05.151

AS 42.05.291  
AS 42.05.381

**3 AAC 52.220. HELD APPLICATIONS.** (a) Normally, when a standard tariff service cannot be provided within the standard installation interval, all reasonable efforts shall be made to advise the applicant within 15 working days from the date of the initial application for service as to

- (1) the reason for the delay;
- (2) a possible interim grade or type of service that is available;  
and
- (3) the probable date the requested service will be provided.

(b) If the utility is unable to meet any previously given service date, it shall advise the applicant as to the information set forth in (a) of this section at a reasonable interval before the originally scheduled service date.

(c) When a utility is unable to supply telecommunications service as required by (a) of this section, the utility shall keep records by



exchange or central office building identifying each applicant, the date of application, the date service was requested for, the class of service applied for, the reason for the inability to provide the service, a statement of the plans to provide service including a probable provision date, and copies of all correspondence with the applicant until service is provided. (Eff. 1/5/79, Register 69)

**Authority:** AS 42.05.141  
AS 42.05.151  
AS 42.05.291

**3 AAC 52.230. SUBSCRIBER BILLING.** (a) Each utility shall retain information used in the preparation of a subscriber's bill in sufficient detail to identify the subscriber and the applicable charges for all services rendered.

(b) Bills to subscribers must be rendered monthly and must contain a clear listing of all adjustments and other nonrecurring charges. One flat monthly charge may be shown for all local service furnished under the same telephone number, and this charge may be billed one month in advance. All toll charges must be itemized, specifying on a call-by-call basis the date of the call, the locations connected, the duration of the call, whether the call required special assistance (e.g., person-to-person, operated assisted, etc.), and the charge for the call.

(c) The utility shall grant credit for any toll call when the customer has reported as soon as reasonably possible that a wrong number was reached or that a portion of a call was inadequate for communication unless there is reason to believe that an adequate connection to the desired party was effected. (Eff. 1/5/79, Register 69)

**Authority:** AS 42.05.141  
AS 42.05.151  
AS 42.05.381

**3 AAC 52.240. PUBLIC PAY TELEPHONE SERVICE.** (a) In each exchange, the utility shall provide at least one public pay telephone available to the public at all hours, prominently located and properly maintained and equipped. Additional public telephone service must be provided at locations where public convenience and necessity require that service.

(b) The utility shall maintain at each public pay telephone station a current copy of the telephone directory. The utility shall also prominently display permanently affixed dialing instructions and special numbers at each public pay telephone location. These instructions shall include the access code for long-distance dialing, telegrams, directory assistance, police, and fire protection.

(c) Except where the commission determines it is economically impracticable and grants the utility an exemption, each telephone utility